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December 20, 2004

VIA ELECTRONIC FILING

The Honorable Magistrate Judge James Orenstein
United States District Court Eastern District of New York
100 Federal Plaza
P.O. Box 9014
Central Islip, NY 11722-9014

Re: Robert Novak v. Overture Services, Inc., et al.
Civil Action No. 02-5164 - DRH-JO

Dear Judge Orenstein:

We are local counsel representing defendant Overture Services, Inc. ("Overture") in the above-referenced action.

On December 15, 2004, Mr. Novak filed a letter with this Court concerning Overture's oustanding discovery requests. I write to request an extension of time to respond to Mr. Novak's letter until December 27, 2004. Mr. Novak consented to this extension request in a telephone conference today with Overture counsel, Philip A. Jones.

Mr. Jones has been advised by Mr. Novak that he intends to file papers with Judge Hurley dismissing his case. Mr. Novak apparently plans to file the dismissal papers in the next day or so. Overture requests this extension of time so that Mr. Novak will have time to file his dismissal papers before Overture is required to respond to Mr. Novak's December 15 letter.

Respectfully submitted,

Suzanne M. Berger

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cc: Robert Novak
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